

**641—11.89(141A) ADAP waiting list.**

**11.89(1)** If an applicant is eligible for ADAP and sufficient funds are available to provide services to the applicant, the department shall enroll the applicant. If the applicant is eligible for ADAP and sufficient funds are not available to provide services to the applicant, the department shall place the applicant's name on the ADAP waiting list in the order provided for in this rule.

**11.89(2)** The department shall place names on the waiting list in the following order:

*a.* Women who have been diagnosed with HIV infection or AIDS and who are pregnant shall be placed on the waiting list with priority over all other applicants.

*b.* Applicants who are already on medications shall be placed on the waiting list with priority over all applicants listed in paragraphs "*c*" and "*d*."

*c.* HIV medication naïve patients shall be placed on the waiting list in the following order with priority over all applicants listed in paragraph "*d*":

(1) CD4 count of < 200 cells/mm<sup>3</sup> regardless of viral load.

(2) New opportunistic (HIV-related) infection or malignancy.

(3) Asymptomatic and CD4 count of 200-350 and viral load > 55,000 copies/ml.

(4) Asymptomatic and CD4 count of > 350. If viral load is > 55,000, a documented fall in CD4 counts on three measurements of at least 15 percent of first measurement (i.e., 500 on first test must drop to less than or equal to 425).

*d.* All other applicants shall be placed on the waiting list in chronological order based upon the date of receipt of a completed application by the department.

**11.89(3)** To verify that applicants on the waiting list continue to meet ADAP eligibility requirements, the department shall require applicants on the waiting list to submit reapplication forms annually.